

§ 1917.94

with one of the above consensus standards will be deemed to be in compliance with the requirements of this section.

(c) Protective hats previously worn shall be cleaned and disinfected before issuance by the employer to another employee.

[48 FR 30909, July 5, 1983, as amended at 62 FR 40201, July 25, 1997; 74 FR 46359, Sept. 9, 2009; 77 FR 37599, June 22, 2012]

§ 1917.94 Foot protection.

(a) The employer shall ensure that each affected employee wears protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects or objects piercing the sole.

(b)(1) The employer must ensure that protective footwear complies with any of the following consensus standards:

(i) ASTM F-2412-2005, "Standard Test Methods for Foot Protection," and ASTM F-2413-2005, "Standard Specification for Performance Requirements for Protective Footwear," which are incorporated by reference in § 1917.3;

(ii) ANSI Z41-1999, "American National Standard for Personal Protection—Protective Footwear," which is incorporated by reference in § 1917.3; or

(iii) ANSI Z41-1991, "American National Standard for Personal Protection—Protective Footwear," which is incorporated by reference in § 1917.3.

(2) Protective footwear that the employer demonstrates is at least as effective as protective footwear that is constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section.

[62 FR 40201, July 25, 1997, as amended at 74 FR 46359, Sept. 9, 2009]

§ 1917.95 Other protective measures.

(a) *Protective clothing.* (1) Employees performing work that requires special protective clothing shall be directed by the employer to wear the necessary special protective clothing.

(2) When necessary, protective clothing previously worn shall be cleaned and disinfected before reissuance.

(b) *Personal flotation devices (PFDs).* (1) The employer shall provide, and shall direct the wearing of PFDs for those employees, such as line handlers,

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who are engaged in work in which they may be pulled into the water:

(i) When such employees are working in isolation, or

(ii) Where physical limitations of available working space creates a hazard of falling into the water, or

(iii) Where the work area is obstructed by cargo or other obstacles so as to prevent employees from obtaining safe footing for their work.

(2) PFDs (life preservers, life jackets, or work vests) worn by each affected employee must be United States Coast Guard (USCG) approved pursuant to 46 CFR part 160 (Type I, II, III, or V PFD) and marked for use as a work vest, for commercial use, or for use on vessels.

(3) Personal flotation devices shall be maintained in safe condition and shall be considered unserviceable when damaged so as to affect buoyancy or fastening capability.

(c) *Emergency facilities.* When employees are exposed to hazardous substances which may require emergency bathing, eye washing or other facilities, the employer shall provide such facilities and maintain them in good working order.

[48 FR 30909, July 5, 1983, as amended at 62 FR 40201, July 25, 1997; 65 FR 40941, June 30, 2000]

§ 1917.96 Payment for protective equipment.

(a) Except as provided by paragraphs (b) through (f) of this section, the protective equipment, including personal protective equipment (PPE), used to comply with this part, shall be provided by the employer at no cost to employees.

(b) The employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eyewear, provided that the employer permits such items to be worn off the job-site.

(c) When the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to reimburse the employee for the shoes or boots.

(d) The employer is not required to pay for: